



Attorney Docket No. 05126-00003

PATENT APPLICATION

RECEIVED  
TECHNICAL CENTER 1600/2900  
NOV 7 2001

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of:

Aaron I. VINIK, et al

Serial No. 09/659,379

Filed: September 8, 2000

For: HIGH LEVEL OF EXPRESSION OF  
INGAP IN BACTERIAL AND  
EUKARYOTIC CELLS

Group Art Unit: 1652

Examiner: Patricia A. Robinson

**INFORMATION DISCLOSURE STATEMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

This Information Disclosure Statement is submitted for consideration by the United States Patent and Trademark Office in accordance with the duty of disclosure.

Transmitted herewith is:

☒ [X] A PTO 1449 form

☐ [ ] A Background Art Information Paper

☒ [X] A copy of each item of information listed on the PTO 1449 form

☐ [ ] Concise explanation of non-English language information

☐ [ ] concise explanation of relevance:

☐ [ ] English translation of foreign language information

☒ [X] English language version of foreign patent office report citing information

- ☐ English language abstract(s) of foreign patent document(s)
- ☐ This application relies, under 35 U.S.C. §120, on the earlier filing date of U.S. Application Serial No. \*\*\*\*, filed \*\*\*. The information identified on the attached PTO 1449 form was submitted to and/or cited by the Patent and Trademark Office in this earlier application and, therefore, copies are not required to be provided in this application.

1. ☐ This Information Disclosure Statement is filed before the later of:
- ☐ three months from the filing date of this national application;
  - ☐ three months from the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; or
  - ☐ the mailing date of a first office action on the merits.

In accordance with 37 CFR 1.97(b), no fee is required.

2. ☒ This Information Disclosure Statement is filed after the events noted in paragraph 1, but before either:
- ☒ a final action under 37 CFR 1.113, or an action that otherwise closes prosecution,
  - ☐ a Notice of Allowance under 37 CFR 1.311.

In accordance with 37 CFR 1.97(c), also enclosed is

- ☐ a fee under 37 CFR 1.17(p) for \$180.00; or
  - ☒ a certification as stated below.
3. ☐ This Information Disclosure Statement is filed before payment of the issue fee, but after either
- ☐ a final action under 37 CFR 1.113, or an action that otherwise closes prosecution;
  - ☐ a Notice of Allowance under 37 CFR 1.311.

In accordance with 37 CFR 1.97(d), also enclosed is:

- ☐ a certification, as stated below; and
- ☐ the IDS processing fee set forth in 37 CFR 1.17(p)(1) in the amount of \$180.00.

Certification

The undersigned states:

☒ Each item of Information contained in this Information Disclosure Statement was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing date of this Information Disclosure Statement; or

☐ No item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign Patent Office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing date of this Information Disclosure Statement.

**TOTAL FEES:**      \$-0-

☐ A check for the amount of the above indicated TOTAL FEES is attached.

☐ Please charge Deposit Account No. 19-0733 in the amount of \$ .

☐ A check for \$ is enclosed.

☒ No fee is required.

☐ Please charge or credit Deposit Account No. 19-0733 for an deficiency or overpayment associated with this Information Disclosure Statement.

A duplicate copy of this sheet is enclosed for accounting purposes.

It is respectfully requested that the Examiner fully consider each item of information, initial the enclosed Form PTO-1449 in the appropriate place to indicate that the information has been considered, and return a copy of the initialed form to the undersigned in accordance with MPEP Section 609.

Respectfully submitted,

BANNER & WITCOFF, LTD.

By:   
Sarah A. Kagan  
Registration No. 32,141

Eleventh Floor  
1001 G Street, N.W.  
Washington, D.C. 20001-4597  
(202) 508-9100

Dated: November 2, 2001

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet

1

o

2

Attorney Docket Number

**Complete if Known**

Application Number

09/659,379

Filing Date

September 8, 2000

First Named Inventor

Aaron I. VINIK et al

### Group Art Unit

1652

**Examiner Name**

**Patricia A. Robinson**

Attorney Docket Number

05126.00003

## U.S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

[illegible]

**Examiner  
Signature**

Date Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04.

<sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

**Burden Hour Statement:** This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.**

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

NOV 05 2001

(use as many sheets as necessary)

Sheet 2 of

**Complete if Known**

Application Number	09/659,379
Filing Date	September 8, 2000
First Named Inventor	Aaron I. VINIK et al
Group Art Unit	1652
Examiner Name	Patricia A. Robinson
Attorney Docket Number	05126.00003

INSTR 072001  
CENTER 1600/2900

RECEIVED

#### OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

[illegible]

Examiner  
Signature

Date  
Considered

21/11/03

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

**Burden Hour Statement:** This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.**